

Message Text

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C O N F I D E N T I A L OSLO 1647

E.O. 11652: GDS
TAGS: EFIS, PBOR, PFOR, UR, NO
SUBJECT: NORWEGIAN/SOVIET FISHERY TALKS UNSUCCESSFUL

REF OSLO 1447

SUMMARY: NORWAY AND THE USSR FAILED TO REACH AGREEMENT ON FISHING
IN THEIR MARITIME BOUNDARY AREA DURING NEGOTIATIONS IN MARCH. THE
TALKS ARE SCHEDULED TO RESUME IN APRIL WHEN THE SOVIETS MAY TRY
TO TAKE ADVANTAGE OF NORWAY'S DESIRE FOR AN EARLY AGREEMENT.

END SUMMARY.

1. NORWAY AND THE USSR FAILED TO REACH FINAL AGREEMENT DURING
NEGOTIATIONS IN MOSCOW MARCH 25-30 ON TRANSITIONAL FISHING
ARRANGEMENTS FOR THE DISPUTED TRIANGULAR AREA BETWEEN THEIR
BARENTS SEA BOUNDARY LINE CLAIMS AND A 200-MILE FISHING LIMIT.
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 OSLO 01647 060720Z

THE NEGOTIATIONS BROKE DOWN OVER INABILITY TO AGREE ON A
DESCRIPTION OF THE SIZE AND SHPAE OF THE DISPUTED AREA FOR
INCLUSION IN AN EXCHANGE OF LETTERS AND PROTOCOL. ALL OTHER
ASPECTS OF THE ARRANGEMENT, INCLUDING ENFORCEMENT, REGULATIONS,
AND LICENSING OF THIRD COUNTRIES, WERE APPARENTLY AGREED UPON AS
WAS REFERRAL TO THE NORWEGIAN/SOVIET JOINT FISHING COMMISSION
OF EXPERTS OF THE QUESTION OF DIVISION BETWEEN THE TWO PRINCIPALS

OF FISH QUOTAS RESERVED FOR THIRD COUNTRIES.

2. THE COMMUNIQUE ISSUED AT THE END OF THE NEGOTIATIONS PROVIDES FOR THEIR RESUMPTION IN PARIL, BUT DOES NOT SAY WHERE AND ON WHAT DATE. MEANWHILE, THE TWO COUNTRIES WILL SUBMIT TO THEIR GOVERNMENTS FOR APPROVAL THE TEXTS OF THE EXCHANGE OF LETTERS AND PROTOCOL AS AGREED UPON SO FAR.

3. LOS MINISTER EVENSEN WENT TO MOSCOW PROFESSING OPTIMISM HE COULD CONCLUDE AN AGREEMENT. BUT PRESS REPORTS ISSUED DURING THE NEGOTIATIONS WERE INCREASINGLY PESIMISTIC, AND THE MINISTER HAS NOW BEEN CRITICIZED FOR BEING TOO OPTIMISTIC ABOUT HIS CHANCES OF SUCCESS. THE PRESS QUOTES HIM AS SAYING THAT SOLUTION OF THE PROBLEM OF THE SIZE AND SHAPE OF THE AREA WILL TAKE AT LEAST ONE MORE NEGOTIATING SESSION. HE LAID BLAME FOR THE NEGOTIATIONS' FAILURE ON WORSENING NORWEGIAN/SOVIET RELATIONS AND SOVIET DEFENSE INTERESTS.

4. FINN FOSTERVOLD OF EVENSEN'S OFFICE WHO PARTICIPATED IN THE NEGOTIATIONS TOLD E/C COUNSELOR THAT SOVIETS TOOK A DISTINCTLY HARDER LINE THAN THEY HAD IN PREVIOUS NEGOTIATIONS. HE ATTRIBUTED THIS TO THE CHILL IN BILATERAL RELATIONS WHICH FOLLOWED THE NORWEGIAN OUSTER OF SIX SOVIET SPIES IN MID-JANUARY AND TO FRICTION IN OTHER AREAS OF NORWEGIAN/SOVIET RELATIONS. ACCORDING TO FOSTERVOLD, EFFORTS TO REACH AGREEMENT RAN AFOUL OF SOVIET UNWILLINGNESS TO AGREE TO ANY DESCRIPTION OF THE DISPUTED BOUNDARY AREA WHICH MIGHT PREJUDICE THEIR SECTOR LINE BOUNDARY CLAIM. THIS CONCERN WENT SO FAR, HE SAID, THAT SOVIETS EVEN REFUSED TO AGREE TO AN INDICATION THAT THE DISPUTED AREA

CONFIDENTIAL

PAGE 03 OSLO 01647 060720Z

WAS TRIANGULAR IN SHAPE. SINCE NORWAY WAS EQUALLY UNWILLING TO AGREE TO ANYTHING WHICH WOULD PREJUDICE ITS MEDIAN LINE CLAIM, THE NEGOTIATIONS WERE STALEMATED.

5. FOSTERVOLD SAID THAT NORWAY WOULD NOW BE LOOKING TOWARD WAYS TO GET AROUND THIS IMPASSE. ONE SUCH SOLUTION WHICH AVOIDS THE NEED TO REFER TO THE DISPUTED AREA, HE SAID, MIGHT BE TO BAN THIRD COUNTRY FISHING NEAR THE BOUNDARY AREA WHILE ALLOWING NORWAY AND THE USSR EQUAL FISHING RIGHTS IN THE ENTIRE DISPUTED AREA. EVENSEN'S INSTRUCTIONS DID NOT ALLOW HIM TO SUGGEST SUCH A SOLUTION, BUT FOSTERVOLD INDICATED THAT THIS AND OTHER POSSIBLE SOLUTIONS WOULD PROBABLY BE CONSIDERED FOR THE APRIL NEGOTIATIONS.

6. COMMENT: THE NORWEGIANS HAVE BEEN OPENLY EAGER TO CONCLUDE THE FISHING AGREEMENT IN THE DISPUTED AREA. NOT ONLY WOULD SUCH A SETTLEMENT REMOVE ONE OF THEIR MOST IMMEDIATE DIFFICULTIES IN RELATIONS WITH THE USSR, BUT IT WOULD ALSO CLEAR AWAY A COMPLICATION FOR DEALING WITH THE SVALBARD FISHERIES WHICH WILL

PICK UP WITH WARMER WEATHER IN THE COMING MONTHS. MOST OF ALL, HOWEVER, FROM EVENSEN'S VIEWPOINT IT WOULD PROP UP HIS SAGGING REPUTATION IN THE LABOR PARTY, AND FROM THE PARTY'S STANDPOINT, IT WOULD STRENGTHEN SUPPORT AMONG FISHING INTERESTS IN THE CRUCIAL NORTHERN DISTRICTS FOR THE SEPTEMBER NATIONAL ELECTION. EVENSEN BETRAYED HIS OWN AND THE KEEN NORWEGIAN DESIRE FOR THE SO-CALLED GRAY-ZONE FISHERY AGREEMENT BY JUMPING AT THE SOVIET SUGGESTION HE COME TO MOSCOW EARLY TO NEGOTIATE.

7. BY PUBLICLY BLAMING THE NEGOTIATION'S FAILURE ON THE DETERIORATION OF NORWEGIAN/SOVIET RELATIONS GENERALLY, EVENSEN IS OBVIOUSLY TRYING TO EXPLAIN AWAY THE IMPRESSION HE HAS BEEN GIVING THAT THE AGREEMENT WAS WITHIN EASY REACH AND THAT HE WOULD DELIVER IT. BUT BY LAYING THE FAULT TO BILATERAL RELATIONS HE AND THE GON ARE VERY LIKELY MAKING A TACTICAL MISTAKE.

CONFIDENTIAL

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PAGE 04 OSLO 01647 060720Z

8. FIRST, AS WE HAVE NOTED EARLIER AND AS SOME GON OFFICIALS RECOGNIZED LATE LAST YEAR, REAL SUBSTANTIVE DIFFICULTIES EXIST IN REACHING AN AGREEMENT WITH THE SOVIETS ON FISHERIES, NOT THE LEAST OF WHICH INVOLVES SOVIET BARENTS SEA INTERESTS. EVENSEN HAS CONSTANTLY TRIED TO MINIMIZE THESE DIFFICULT ISSUES PUBLICLY, BRUSHING THEM OFF AS MINOR. SECOND, EVENSEN'S APPARENT OPTIMISM HAS IGNORED THE FACT THAT THE SOVIETS APPEAR TO BE HAVING DIFFICULTIES WITH OTHER COUNTRIES ON FISHERIES (JAPAN, SEDEN, THE EEC, FOR EXAMPLE). CONCEIVABLY, THEREFORE, THERE ARE REASONS THE SOVIETS ARE HANGING TOUGH WITH THE NORWEGIANS UNRELATED TO STRICTLY BILATERAL SOVIET/NORWEGIAN RELATIONS.

9. MOST IMPORTANT, BY ASSERTING THAT THE FAILURE TO AGREE IS RELATED TO DETERIORATING SOVIET/NORWEGIAN RELATIONS, EVENSEN MAY HAVE FALLEN INTO A TRAP BASED ON ONE OF MOSCOW'S FAVORITE PLOYS--THE BEST DEFENSE IS A STRONG OFFENSE. FOR EVENSEN'S STATEMENT IMPLIES THAT IF THE NORWEGIANS WANT THE FISHERIES AGREEMENT (AND OUR VIEW IS THAT THEY DO--PROBABLY MORE THAN THE SOVIETS), THEY MUST DO SOMETHING TO IMPROVE RELATIONS BETWEEN OSLO AND MOSCOW. THIS IGNORES THE FACT THAT IT IS SOVIET ACTIONS OVER THE PAST YEAR--THEIR HUMAN RIGHTS PERFORMANCE, THEIR HIGH-HANDED AND ARROGANT ACTIONS ON SVALBARD, THEIR ROCKET TESTS INTO THE DISPUTED AREA, AND THEIR WIDE-RANGING ESPIONAGE AGAINST NORWAY--WHICH ARE RESPONSIBLE FOR THE CHILLY CLIMATE NOW PREVAILING BETWEEN THE TWO NATIONS. EVEN IF ONE ACCEPTED THE HYPOTHESIS THAT A FISHERIES ACCORD DEPENDS ON BETTER RELATIONS, THEN THE FACTS SUGGEST THAT CORRECTIVE STEPS SHOULD BE TAKEN BY AUTHORITIES IN MOSCOW, NOT IN OSLO.

10. THE SOVIETS MAY BE EXPECTED TO USE THE NORWEGIAN DESIRE

FOR AN EARLY BOUNDARY FISHING ACCORD TO TRY TO STRIKE THE BEST
POSSIBLE DEAL WITH NORWAY. IF THEN THE GON GOES ON TO ACCEPT
EVENSEN'S PROTESTATIONS THAT FAILURE TO REACH AGREEMENT IS
CAUSED BY DETERIORATING NORWEGIAN/SOVIET RELATIONS, THE SOVIETS'
NEXT STEP MAY BY TO INSIST THAT THE PRICE FOR SUCH AN AGREEMENT
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PAGE 05 OSLO 01647 060720Z

IS SOME AS YET UNSPECIFIED CONCESSION BY THE GON AS AN
INDICATION OF ITS DESIRE FOR IMPROVED RELATIONS.
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